

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL COREY JENKINS, et al.

PLAINTIFFS

v.

CAUSE NO. 3:23-cv-374-DPJ-ASH

RANKIN COUNTY, MISSISSIPPI, et al.

DEFENDANTS

RANKIN COUNTY'S SUPPLEMENTAL RESPONSES TO PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS; SUPPLEMENTAL RESPONSES TO PLAINTIFFS' SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS; RESPONSES TO PLAINTIFFS' REVISED THIRD SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS; AND RESPONSES TO PLAINTIFFS' FOURTH SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

COMES NOW Defendant, Rankin County, Mississippi, by and through its undersigned counsel of record, and supplements its responses to the First and Second Sets of Requests for Production, responds to the Revised Third Set of Requests for Production, and responds to the Fourth Set of Requests for Production propounded by Plaintiffs Michael Corey Jenkins and Eddie Terrell Parker pursuant to Fed. R. Civ. P. 34 as follows:

GENERAL & OMNIBUS OBJECTIONS

These general objections are made on the advice of counsel and in addition to, and are incorporated within, each of the specific Responses set forth below.

1. Rankin County objects to these requests for production to the extent that no distinction is made between privileged and non-privileged documents and/or tangible items, and therefore, these requests call for material which is beyond the scope of permissible discovery and which is protected from disclosure by, among other privileges, the attorney-client privilege, the work-product doctrine, or any other privilege or immunity.

2. Rankin County objects to each and every category of documents to the extent such category may be construed to include attorney work-product, including, without limitation, any materials containing or reflecting mental impressions, conclusions, opinions, and/or legal theories, or the basis thereof, of any counsel for this Defendant.

3. Rankin County objects to each and every category of information requested to the extent that such category is overly broad, ambiguous, vague, unclear, and not relevant or material to, nor reasonably calculated to lead to the discovery of evidence in discovery.

4. Rankin County submits these general objections and all additional objections herein with full reservation of rights, and without waiving its right to supplement, amend, or otherwise modify or change any objection.

5. No individual has waived any rights protected by law and/or statute in this litigation except Plaintiffs. Accordingly, no confidential or protected information (including but not limited to social security numbers, dates of birth, protected health information, etc.) of anyone other than Plaintiffs will be produced and all such information will be redacted.

6. NCIC information and/or data maintained by the Rankin County Sheriff's Department is confidential, protected, and/or proprietary and such information on any documents produced will be redacted.

7. Pursuant to Fed. R. Civ. P. 26 and L.U. Civ. R. 26, this Defendant reserves the right to supplement these responses upon receipt of additional responsive information and upon receipt of discovery from Plaintiffs.

SUPPLEMENTAL RESPONSES TO FIRST SET OF REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION No. 2: Please produce all documents in your possession which refer to either of the plaintiffs in any way.

RESPONSE: Subject to and without waiver of the foregoing omnibus objections, such documents have been produced.

SUPPLEMENTAL RESPONSE: Without waiver of the foregoing objections and in addition to those documents previously produced that are bates stamped RC 244 through RC 1272, Rankin County produces those documents bates stamped RC 1944 through RC 1973.

REQUEST FOR PRODUCTION No. 4: Please produce all taser logs for the defendant officers in this lawsuit from the year 2018 through the time of their termination.

RESPONSE: Subject to and without waiver of the foregoing omnibus objections, such documents have been produced.

SUPPLEMENTAL RESPONSE: Without waiver of the foregoing objections and in addition to those documents previously produced that are bates stamped RC 632 through RC 865, Rankin County produces those documents bates stamped RC 1974 through RC 1996.

REQUEST FOR PRODUCTION No. 8: Please produce all documents, reports, tapes, photographs, plats, diagrams recordings, photographs and motion pictures which relate in any respect to any of the incident complained of in plaintiffs' complaint.

RESPONSE: This Defendant objects to RFP #8 on the basis that it is confusing as written. Subject to and without waiver of these objections, including the foregoing omnibus objections, this Defendant has produced the applicable documents relating to the January 24, 2023 incident regarding Plaintiffs.

SUPPLEMENTAL RESPONSE: Without waiver of the foregoing objections, the dispatch audio file for this incident has been produced.

SUPPLEMENTAL RESPONSES TO SECOND SET OF REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION No. 15: Produce all documents associated with any and all requests for information delivered to you by the U.S. DOJ and/or the Mississippi (sic) Bureau of Investigation following the January, 2023 incident which is the subject of this lawsuit.

RESPONSE: Subject to and without waiver of the foregoing omnibus objections, neither the U.S. DOJ nor the Mississippi Bureau of Investigation (“MBI”) have submitted FOIA requests to this Defendant, and accordingly, this Defendant is not in possession of additional documents responsive to this request.

SUPPLEMENTAL RESPONSE: In addition to the foregoing objections, Rankin County objects to production of the entirety of any internal investigations file to the extent that any *Garrity* statements were provided and/or to the extent that production of investigative notes and/or findings of IA investigators would deter future cooperation with IA investigations. Rankin County will produce all documents and/or tangible items collected by its IA investigators for the incident at issue and all similar allegations. Rankin County does not produce IA files # 2023071341-PTS (relating to a dog falling out of a civilian’s car window), # 2023080002-IAD (related to a civilian altercation), # 2023090001-IAD (related to animals at the Rankin County Animal Shelter); and # 2023100001-IAD (related to a deputy knocking on a civilian’s door with no answer).

RESPONSES TO REVISED THIRD SET OF REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION No. 21: Please produce any, and all citizen complaints against Rankin County Sheriff's department regarding the use of force; detainment; arrest; treatment while in jail; or any matter not including traffic-related or property-related complaints lodged against:

- a) Rankin County sheriff deputies
- b) Sheriff Bryan Bailey or RCSD
- c) Rankin County jail personnel

RESPONSE: Rankin County objects to the production of any medical records collected by in confidence during investigation of any complaints as none of the individuals at issue have waived their medical privilege by submitting a grievance with the Rankin County Sheriff's Department. Subject to and without waiver of all foregoing objections, Rankin County produces those documents bates numbered RC 2770 through RC 3352.

REQUEST FOR PRODUCTION No. 22: In answering the above document request 21 please provide all documents regarding how such above-listed complaints were reviewed, investigated, adjudicated, maintained and stored for the period 2018-2023[.]

RESPONSE: Rankin County objects to RFP #22 on the grounds that it is not required to generate documents responsive to requests propounded pursuant to Rule 34. Subject to and without waiver of all foregoing objections, Plaintiffs are directed to those documents bates numbered RC 2770 through RC 3352.

REQUEST FOR PRODUCTION No. 23: For the foregoing complaints in Request #21, please provide all body worn camera footage; internal investigation reports; taser logs and

use of force and/or “*offense reports*” which were used in review of the complaints provided in Question 21.

RESPONSE: Rankin County objects to RFP #23 on the grounds that it is overly broad and/or unduly burdensome. The use of body worn cameras began in October of 2021, and such media takes up hundreds of terabytes of storage. Further, production of IA investigation reports is objected to on the basis that such documents contain information that is confidential and subject to rights of the interviewee. Subject to and without waiver of all foregoing objections, Plaintiffs are directed to those documents bates numbered RC 2770 through RC 3352.

REQUEST FOR PRODUCTION No. 24: Please provide all use of force reports, and documents, information, video or recordings and reports detailing how the use of force by Rankin County deputies and personnel were documented, monitored, and assessed by Sheriff Bailey and RCSD from the period of 2018-2023.

RESPONSE: Rankin County objects to RFP #24 on the grounds that it is not reasonably limited in time. Subject to and without waiver of all foregoing objections, patrol use of force reports for 2019-2023 are produced as those documents bates stamped RC 2231 through 2769.

REQUEST FOR PRODUCTION No. 25: Please provide all documents, information, video or recordings and taser logs pertaining to internal affairs investigations, Steven Godfrey’s investigations and Brian Bailey’s internal investigations of Rankin County personnel, in response to:

- a) citizen complaints,
- b) use of force reports

c) jail incidents

d) any possible constitutional violation

RESPONSE: Rankin County objects to RFP #25 on the grounds that it is overly broad and/or unduly burdensome. The use of body worn cameras began in October of 2021, and such media takes up hundreds of terabytes of storage. Further, production of IA investigation reports is objected to on the basis that such documents contain information that is confidential and subject to rights of the interviewee. Subject to and without waiver of all foregoing objections, Plaintiffs are directed to those documents bates numbered RC 2770 through RC 2828.

REQUEST FOR PRODUCTION No. 26: Please provide any, and all department training records, video, and documents on *recognizing and addressing racial biases* or any other trainings on racial sensitivity that were in effect prior to January 24, 2023. Please include sign-in sheets for all trainings and confirmation of receipt and review of all related policies by Rankin County Sheriff Department personnel.

RESPONSE: Subject to and without waiver of all foregoing objections, Plaintiffs are directed to those documents bates numbered RC 1997 through RC 2073, as well as all previously produced training records.

REQUEST FOR PRODUCTION No. 27: Please provide all documents pertaining to performance reviews for the years 2018-2023 for all defendant deputies Elward, Dedmon, McAlpin, Opdyke, and Middleton, and any others involved in the Michael Jenkins and Eddie Parker incident of 1/24/2023.

RESPONSE: Rankin County objects to production of the personnel files, including performance reviews of Elward, Dedmon, McAlpin, Opdyke, and Middleton on the basis that

many of the documents contained therein contain privileged and/or confidential information. Subject to and without waiver of the foregoing objections, Plaintiffs are directed to those documents that have been previously produced.

REQUEST FOR PRODUCTION No. 28: For the incident of 1/24/2023, please provide documentation of all post -incident disciplinary actions, post-incident investigations, or evaluations by RCSD and/ or Sheriff Bailey into defendants Elward, Dedmon, McAlpin, Opdyke, and Middleton related to their conduct on that day.

RESPONSE: Subject to and with waiver of the foregoing objections, most of the documents requested are in possession of the Mississippi Bureau of Investigations, which conducted the investigation into the incident at issue. Those documents related to Rankin County's investigation into the incident at issue have been produced.

REQUEST FOR PRODUCTION No. 29: Please provide the entire personnel file of defendant deputies Elward, Dedmon, McAlpin, Opdyke, and Middleton.

RESPONSE: Rankin County objects to production of the personnel files, including performance reviews of Elward, Dedmon, McAlpin, Opdyke, and Middleton on the basis that many of the documents contained therein contain privileged and/or confidential information. Subject to and without waiver of the foregoing objections, Plaintiffs are directed to those documents that have been previously produced.

RESPONSES TO FOURTH SET OF REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION No. 30: Please produce all documents in your possession which refer to any of the incidents and/ or arrests, booking and jail medical treatment involving:

Mitchell Hobson
Tyler Mote
Robert Jones
[arrested on 775 Bierdemen Road in
2018] Fredrick Trimble
Jeremy Travis Paige
Carvis Johnson
Gary Frith
Bobbie Adams [re: case 3:24-cv-00236-KHJ-MTP]
Gary Curro
Jerry Manning
Adam Cody Porter
James Elbert Lynch
Robert Grozier
Andrea Dettore

RESPONSE: Rankin County objects to production of the medical files for the foregoing individuals as they have not waived their medical privilege in this litigation. Subject to and without waiver of all foregoing objections, Plaintiffs are directed to those documents that are bates stamped RC 1273 through RC 1801 and RC 3353 through RC 4346.

DATED, this 3rd day of March, 2025.

RANKIN COUNTY, MISSISSIPPI - DEFENDANT

BY: /s/ Jason E. Dare
JASON E. DARE

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Jason E. Dare, do hereby certify that I have this day served, via electronic mail, a true and correct copy of the foregoing Discovery Responses to the following counsel of record:

Trent L. Walker, Esq. (trent@trentwalkerlaw.com)
TRENT WALKER, COUNSELOR AT LAW, PLLC

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THE LAW OFFICE OF MALIK SHABAZZ, ESQ.

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CLARENCE McDONALD LELAND, LTD.

THIS, the 3rd day of March, 2025.

/s/ Jason E. Dare
JASON E. DARE